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EXAMINER

HOYE, MICHAEL W

ART UNIT PAPER NUMBER

2614

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7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/356,161

Applicant(s)

ELLIS ET AL

Examiner

Michael W. Hoye

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-100 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-95,97 and 99 is/are rejected.
- 7) ☒ Claim(s) 96,98 and 100 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2,3,4,6.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: in Fig. 11: numbers 161, 163, 164 and 166; in Fig. 12: numbers 171, 172, 173, 174, 178, 180, 182, 183 and 184; in Fig. 14: number 1002; in Fig. 17: numbers 1012, 1013, 1021 and 1023; in Fig. 20: numbers 251 and 252; in Fig. 24: numbers 252-254; in Fig. 30: numbers 370 and 371; in Fig. 31: numbers 314, 315, 317; and in Fig. 33: number 331. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "250" has been used to designate both the screen of Fig. 20 and the screen of Fig. 24; reference character "251" has been used to designate both pop-up program listing display for channel numbers in Fig. 20 and channel 1 in Fig. 24; and reference character "252"

Art Unit: 2614

has been used to designate both time selection of the pop-up program listing in Fig. 20 and channel 2 in Fig. 24. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: on page 39, lines 26-27, "set language option 322" is not in Fig. 32. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

Art Unit: 2614

2. The disclosure is objected to because of the following informalities: on page 18, line 28, "televisions" should be --television--; on page 19, line 13, "301, 302" should be --401, 402--; on page 26, line 10, "FIG. 14" should be --Fig. 13--; on page 31, line 18, as well as, page 36, line 14, page 40, line 6, and page 44, line 7, the appropriate patent application Serial No. should be added; on page 37, line 1, the word "the" should be deleted before "channel 371"; on page 39, line 7, "volume option 332" should be --331--; and on page 39, lines 26-27, "set language option 322" is not in Fig. 32.

Appropriate correction is required.

Claim Objections

3. Claim 31 is objected to because of the following informalities: on page 5 of the Preliminary Amendment section, in line 13 of claim 31, the words, "one of" are listed twice in a row and one set should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6, 9, 20-21, 31-36, 49-50, 60-65, 78-79, 89-95, 97 and 99 are rejected under 35 U.S.C. 102(e) as being anticipated by Lawler (USPN 5,758,259), cited by the Examiner.

As to claim 1, note the Lawler patent which discloses an interactive program guide system. Lawler discloses the claimed plurality of user television equipment devices (viewer stations 16, with at least one video display set 18 (e.g. television receiver) and an interactive station controller 20 or set-top box (see Fig. 1 and col. 3, lines 32-35), interconnected by communications paths (14) and located in a household (col. 3, lines 24-27) and on at least two of which devices interactive television program guides are implemented (Figs. 3A and 3B, col. 4, lines 42-57); means associated with at least one of said interactive television program guides for adjusting interactive television program guide settings (col. 4, lines 50-57; col. 5, lines 52-59; col. 7, lines 35-53 and col. 8, lines 51-59, where the viewer may enter a PIN and set and select viewing preferences); and means for coordinating the operation of said interactive television program guides so that the program guide settings that are adjusted using said means for adjusting are effective on at least one of the interactive television program guides other than the interactive television program guide implemented on the television equipment device with which the means for adjusting is associated (col. 9, lines 36-43, where the method could be used for all viewers within a household, etc...).

As to claim 2, the claimed means selecting the interactive television program guides on which the adjusted program guide settings will be effective is met by viewer identifiers (col. 7, lines 37-43).

As to claim 3, the claimed wherein said means for selecting uses input from a user is met by the viewer control unit 71 as shown in Fig. 4.

Art Unit: 2614

As to claim 4, the claimed said means for selecting uses a default location is met by one embodiment where the preferred programming may be used for all viewers within a household (see Fig. 3B and col. 9, lines 36-41).

As to claim 5, the claimed said means for selecting uses factors other than by default to determine the location is met by claim 2 above, where Lawler does not explicitly disclose using a default location.

As to claim 6, the claimed wherein at least one of the user television equipment devices comprises set-top box is met by controllers 20 in Fig. 1, which may be set-top boxes (col. 3, lines 32-35).

As to claim 9, the claimed means for adjusting permits adjusting profiles is met by a user entering a PIN into a station controller 20 (col. 7, lines 35-53) and selecting programming (col. 5, lines 53-59).

As to claim 20, the claimed interactive television program guide system defined in claim 1 wherein one of the user television equipment devices comprises a set-top box and at least a television and other user television equipment devices in the household comprise a television but not a set-top box, each of the user television equipment devices being interconnected with the set-top box is met by Fig. 1 and col. 3, lines 33-37, where each viewer station 16 includes at least one video display set 18 (e.g., a television receiver) and an interactive station controller 20, which is a set-top box. The interactive station controller 20 may also be integral with video display set 18. The display sets 18 and set-top box 20 are connected through network 14, which carries bi-directional communication between controllers 20 or display sets 18 and central control node 12 (col. 3, lines 53-55).

As to claim 21, the claimed interactive television program guide system defined in claim 1, wherein the household comprises one home among a plurality of homes is met by viewer stations 16, the system further comprising a server located outside the plurality of homes is met by central control node 12, which comprises service and application servers 202a and continuous media servers 202b, the server being configured to provide interactive television program guide functions to the homes is met by service and application servers 202a in Fig. 1 (see col. 3, lines 24-55 and col. 10, line 30 – col. 11, line 2).

As to claims 31-36 and 49-50, the claims are rejected based on similar arguments made above for claims 1-6 and 20-21, respectively.

As to claims 60-65 and 78-79, the claims are rejected based on similar arguments made above for claims 1-6 and 20-21, respectively.

As to claims 89-94, the claims are rejected based on similar arguments made above for claim 1, respectively.

As to claim 95, the claimed household comprises first and second homes is met by viewer stations (e.g. homes) 16 (see col. 3, lines 25-27). The claimed at least one of the user television equipment devices is located in the first home, and the claimed at least one of the user television equipment devices is located in the second home is also met by the viewer stations, which may include an interactive station controller 20 or set-top box, (see Fig. 1 and col. 3, lines 32-35). The claimed means for adjusting interactive program guide settings is associated with the interactive television program guide implemented on the at least one user television equipment device located in the first user home is met by col. 4, lines 42-57; col. 5, lines 52-59; col. 7, lines 35-53 and col. 8, lines 51-59, where the viewer may enter a PIN and set and select viewing

Art Unit: 2614

preferences; and the claimed at least one of the at least one interactive television program guides on which the program guide settings are effective is implemented on the at least one user television equipment device located in the second home is met by col. 9, lines 36-43, where the method could be used for all viewers within a household, or other aggregate of viewers, etc., such as a second home.

As to claims 97 and 99, the claims are rejected based on similar arguments made above for claim 95, respectively.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7-8, 10-13, 28, 37-42, 57, 66-71 and 86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler, in view of LaJoie et al (USPN 5,850,218), cited by the Examiner.

As to claim 7, the Lawler patent discloses the claimed interactive television program guide system as described in claim 1 above. However, Lawler does not explicitly disclose the claimed means for adjusting permits adjusting parental control settings. The LaJoie et al patent teaches an interactive program guide system with means for adjusting that permits adjusting parental control settings as shown in Figs. 8-10, where the user may use the remote control 59 to block a channel (see col. 17, lines 15-15-29 and col. 19, line 29 – col. 20, line 52). Therefore, it

Art Unit: 2614

would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the interactive television program guide system of Lawler with the interactive program guide system of LaJoie et al that further teaches parental control settings for the advantage of providing access control or parental control for program content. One of ordinary skill in the art would have been led to make such a modification since parental control or access blocking features are well known in the art of electronic program guides in order to assist parents in keeping others, such as their children, from viewing objectionable content.

As to claim 8, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above wherein the settings are adjusted based primarily on user profiles and viewing history. Although, user profiles could be considered favorites settings (see Table 2 in col. 8) and the system tracks favorites, the Lawler et al patent does not explicitly disclose the means for adjusting permits adjusting favorites settings. The LaJoie et al patent teaches an interactive program guide system with means for adjusting that permits adjusting favorites settings as shown in Figs. 8-10 and 15, where the user may use the remote control 59 to select or remove favorite channels (see col. 19, line 29 – col. 20, line 52 and col. 23, lines 1-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the interactive television program guide system of Lawler with the interactive program guide system of LaJoie et al that further teaches adjusting favorite settings for the advantage of allowing the viewer to make adjustments to their settings for favorite programs. One of ordinary skill in the art would have been led to make such a modification since favorite setting features for channels or programming are well known in the art of

Art Unit: 2614

electronic program guides in order to assist viewers in locating preferred programming or by recording programs that may be of interest to the viewer.

As to claim 10, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. However, Lawler does not explicitly disclose the claimed means for adjusting permits adjusting recording settings. The LaJoie et al patent teaches an interactive program guide system with means for adjusting that permits adjusting recording settings as shown in Fig. 8 (REC 184, col. 19, lines 29-38), Fig. 9 (Record setting 204, col. 19, lines 39-54), Figs. 10-12, 14 and 24, where the user may use the remote control 59 to adjust recording settings. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the interactive television program guide system of Lawler with the interactive program guide system of LaJoie et al that further teaches adjusting recording settings for the advantage of allowing the viewer to record specific programs for viewing at a later time. One of ordinary skill in the art would have been led to make such a modification since recording setting features are well known in the art of electronic program guides in order to assist viewers in recording programs that are of interest to the viewer.

As to claim 11, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. However, Lawler does not explicitly disclose the claimed means for adjusting permits adjusting pay-per-view settings. The LaJoie et al patent teaches an interactive program guide system with means for adjusting that permits adjusting pay-per-view settings as shown in Fig. 10 (PPV Purchases 234, col. 20, lines 9-53), Fig. 13 (PPV Purchases 286, col. 22, lines 16-46), Figs. 25-26 and 28-32, where the user may select pay-per-view (PPV) events and make adjustments to the PPV settings. Therefore, it would have been

obvious to one of ordinary skill in the art at the time of the invention to have combined the interactive television program guide system of Lawler with the interactive program guide system of LaJoie et al that further teaches adjusting pay-per-view settings for the advantage of allowing the viewer to watch additional programming events for an additional fee, which generates increased revenue for the program provider, such as the cable company, as well as the program producers and other entities. One of ordinary skill in the art would have been led to make such a modification since incorporating PPV features and settings into a set-top box system is well known in the art of electronic program guides in order to allow users to purchase additional types of programming, as well as provide the additional benefits as described above.

As to claim 12, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. However, Lawler does not explicitly disclose the claimed means for adjusting permits adjusting messages settings. The LaJoie et al patent teaches an interactive program guide system with means for adjusting that permits adjusting messages settings as shown in-part in Fig. 35 (see col. 33, lines 31-61), where messages may be sent from the headend 2 to one or more users at one or more set-top terminals, or may be sent from one user within a household to another. The message transmission system may be adjusted in various configurations or settings as described in the section cited above. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the interactive television program guide system of Lawler with the interactive program guide system of LaJoie et al that further teaches adjusting messages settings for the advantage of allowing users within a household to send messages to each other via different set-top boxes or to allow the cable provider to send messages to one or more users via the headend. One of

Art Unit: 2614

ordinary skill in the art would have been led to make such a modification since the use of messages is well known in the art of electronic program guides in order to communicate important information to users from the headend, as well as, to send messages from one user to another user within a household.

As to claim 13, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. However, Lawler does not explicitly disclose the claimed means for adjusting permits adjusting set-up settings. The LaJoie et al patent teaches an interactive program guide system with means for adjusting that permits adjusting set-up settings as shown in Fig. 10, for example (see col. 20, lines 9-52), which enables the user to make further settings adjustments to the set-top terminal 6. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the interactive television program guide system of Lawler with the interactive program guide system of LaJoie et al that further teaches adjusting set-up settings for the advantage of allowing the user to further adjust their own system according to their own household environment. One of ordinary skill in the art would have been led to make such a modification since it is well known to provide set-up settings to allow a user to make further adjustments to a set-top box system.

As to claim 28, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. However, Lawler does not explicitly disclose the claimed means for sending messages to viewers at interactive television program guides other than the interactive television program guide on the user television equipment with which the means for adjusting associated. The LaJoie et al patent teaches an interactive program guide system where messages may be sent from the headend 2 to one or more users at one or more set-

Art Unit: 2614

top terminals, or may be sent from one user within a household to another (see Fig. 35 and col. 33, lines 31-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the interactive television program guide system of Lawler with the interactive program guide system of LaJoie et al that further teaches the ability to sent messages from one user within a household to another for the advantage of allowing users within a household to send messages to each other via different set-top boxes or to allow the cable provider to send messages to one or more users via the headend. One of ordinary skill in the art would have been led to make such a modification since the use of messages is well known in the art of electronic program guides in order to communicate important information to users from the headend, as well as, to send messages from one user to another user within a household.

As to claims 37-42 and 57, the claims are rejected based on similar arguments made above for claims 7-8, 10-13 and 28, respectively.

As to claims 66-71 and 86, the claims are rejected based on similar arguments made above for claims 7-8, 10-13 and 28, respectively.

8. Claims 14-15, 19, 43-44, 48, 72-73 and 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler, in view of Humpleman (USPN 5,886,732), cited by the Examiner.

As to claim 14, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. Lawler discloses that there may be multiple viewers residing at a location. However, Lawler does not explicitly disclose the claimed one of the user television equipment devices is a primary user television equipment device and the other user television equipment devices are secondary user television equipment devices. The Humpleman

Art Unit: 2614

patent teaches a set-top box home network arrangement, with program guide functionality (col. 9, lines 48-49), as shown in Figs. 1 and 2, where in some embodiments, a “master” set-top box (or “primary user television equipment device”) may be provided with additional set-top boxes (or “secondary user television equipment devices”) distributed throughout the home (col. 5, lines 14-19). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the interactive television program guide system of Lawler with the set-top box network arrangement with an interactive program guide system of Humpleman that further teaches a server-client or primary/secondary type arrangement for the set-top boxes in the household network for the advantage of having a master set-top box which provides control over other set-top boxes in the network system. One of ordinary skill in the art would have been led to make such a modification since it is well known to arrange and configure set-top boxes in a household in a master-slave configuration or primary/secondary arrangement for the advantage given above.

As to claim 15, the claimed interactive television program guide system defined in claim 14, wherein the communications paths are configured to connect each one of the secondary user television equipment devices to the primary user television equipment device is met by the Humpleman patent which discloses the “master” set-top box arrangement as described above, as well as a star topology (see col. 5, lines 39-41).

As to claim 19, the claimed interactive television program guide system defined in claim 1, wherein the household comprises a home, the system further comprises a server in the household to which each of the user television equipment devices is connected in a client-server interactive television program guide configuration is met by the rejection of claim 14 above.

As to claims 43-44 and 48, the claims are rejected based on similar arguments made above for claims 14-15 and 19, respectively.

As to claims 72-73 and 77, the claims are rejected based on similar arguments made above for claims 14-15 and 19, respectively.

9. Claims 16-18, 25-26, 30, 45-47, 54-55, 59, 74-76, 83-84 and 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler.

As to claims 16-18, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. Lawler does not explicitly disclose the claimed communications paths are configured to connect the user television equipment devices in a tree topology, a ring topology, or a bus topology. However, the Examiner takes Official Notice that it is notoriously well known in the art of network arrangements, such as Local Area Networks (LAN), Wide Area Networks (WAN), etc., to use various types of network configurations, including tree, ring or bus topologies, for the specific advantages associated with each type of network topology, such as the types of devices or hardware available, the wiring configuration, etc. In some arrangements, more processing is required for each television equipment device and other arrangements require less processing at each set-top box, also some arrangements may be able to incorporate existing cable infrastructure that is already within the home. Therefore, it is submitted that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to use a tree, a ring, or a bus topology for the advantages given above.

As to claim 25, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. As to the claimed interactive television program guide

Art Unit: 2614

system further comprising means for allowing the user to monitor the television viewing of users at interactive television program guides other than the interactive television program guide on the user television equipment with which the means for adjusting is associated, the Lawler reference discloses identifying the viewing histories of all viewers within a household or any other aggregate of viewers for use in identifying preferred programming according to individual viewing histories (col. 9, lines 35-49). Although Lawler does not explicitly disclose allowing the user to access the specific viewing history of users, the Examiner takes Official Notice that it is notoriously well known in the art of interactive video distribution systems with monitoring features to allow a parent or other user to access the television viewing, or viewing history, of users at other systems within the network for the advantage of tracking or monitoring viewer history or allowing parents to determine if their children have been watching objectionable content. Therefore, it is submitted that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to have allowed a user to monitor the television viewing of users at interactive television program guides other than the interactive television program guide on the user television equipment with which the means for adjusting is associated for the advantages given above.

As to claim 26, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. Although, the Lawler patent does not explicitly disclose the claimed means for adjusting permits adjusting maximum rating allowed settings. The Examiner takes Official Notice that it is notoriously well known in the art of interactive video distribution systems to provide access control or blocking wherein the settings may be adjusted to block programming above a set rating limit for the advantage of allowing parents or other

Art Unit: 2614

individuals to determine if they do not want their children or other users to be able to view or access programming with a certain level or rating of objectionable content. Therefore, it is submitted that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to have included means for adjusting which permits adjusting maximum rating allowed settings for the advantage given above.

As to claim 30, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. Although, the Lawler patent does not explicitly disclose the claimed means for disallowing monitoring of a selected location, the Examiner takes Official Notice that it is notoriously well known in the art of interactive video distribution systems to provide the option for disallowing monitoring of a selected location since some types of monitoring may violate individuals privacy concerns regarding the programming that is viewed. Therefore, it is submitted that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to have incorporated means for disallowing monitoring of a selected location for the advantage given above.

As to claims 45-47, 54-55 and 59, the claims are rejected based on similar arguments made above for claims 16-18, 25-26 and 30, respectively.

As to claims 74-76, 83-84 and 88, the claims are rejected based on similar arguments made above for claims 16-18, 25-26 and 30, respectively.

10. Claims 23-24, 29, 52-53, 58, 81-82 and 87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler, in view of Humpleman (USPN 6,288,716), cited by the Examiner.

As to claim 23, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. However, Lawler does not explicitly disclose the claimed means for providing an assign location screen to the user. The Humpleman '716 patent teaches a home network arrangement, with electronic program guide (EPG) functionality (col. 22, line 50 – col. 23, line 8), which further comprises means for assigning device locations according to the respective home device's placement in the home on a room by room basis (see col. 14, lines 13-25 and Fig. 7). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the interactive television program guide system of Lawler with the home network arrangement with an interactive program guide system of Humpleman that further teaches means for providing a location assignment screen to the user for the placement of devices within the home for the advantage of providing easy access and identification of the household devices when using the system by having the devices labeled according to their proper location within the home. One of ordinary skill in the art would have been led to make such a modification since location assignments provide easy access and selection for users of the system.

As to claim 24, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. Lawler discloses that there may be multiple users in a household. However, Lawler does not explicitly disclose all of the claimed, "household comprises a home with multiple rooms at least two of which each contain one of the user television equipment devices on which one of the interactive television program guides implemented, the system further comprising means for selecting the interactive television program guides on which the adjusted program guide settings are to be effective by selecting

Art Unit: 2614

certain rooms.” The Humpleman patent teaches the claimed household comprises a home with multiple rooms at least two of which each contain one of the user television equipment devices on which one of the interactive television program guides implemented, the system further comprising means for selecting the interactive television program guides on which the adjusted program guide settings are to be effective by selecting certain rooms (see Figs. 9-11, for example, Dads TV, Jims TV, Basement TV, etc., col. 14, lines 13-25; col. 22, line 51 – col. 23, line 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the interactive television program guide system of Lawler with the home network arrangement and electronic program guide system of Humpleman for the advantage of allowing a user to select and adjust settings on other devices within the system from a single location. One of ordinary skill in the art would have been led to make such a modification since having the capability of selecting and controlling multiple interactive television equipment devices from one location in a household would simplify use of the home network.

As to claim 29, the Lawler patent discloses the claimed interactive television program guide system defined in claim 1 above. However, Lawler does not explicitly disclose the claimed means for adjusting permits adjusting the channel setting at remote location. The Humpleman patent teaches the claimed means for adjusting permits adjusting the channel setting at remote location (see channel controls for the television devices in other locations as shown in Figs. 10, 11 and 13). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the interactive television program guide system of Lawler with the home network arrangement and electronic program guide system of Humpleman

for the advantage of allowing a user the capability of being able to remotely adjust the channel setting of a device at another location in case the user wanted to record or watch a program in another room or have other people located in another area or room view the same program. One of ordinary skill in the art would have been led to make such a modification for the advantages given above.

As to claims 52-53 and 58, the claims are rejected based on similar arguments made above for claims 23-24 and 29, respectively.

As to claims 81-82 and 87, the claims are rejected based on similar arguments made above for claims 23-24 and 29, respectively.

Allowable Subject Matter

11. Claims 96, 98 and 100 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art, alone or in combination, does not teach or fairly suggest an interactive program guide method and system wherein the program guide settings include pay-per-view settings; a first one of the plurality of user television equipment devices is authorized to allow viewing of pay-per-view program; a t least one additional one of the plurality of user television equipment devices is authorized to allow viewing of the pay-per-view program; a first cost is associated with viewing the pay-per-view program at the first one of the plurality of user television equipment; an additional cost is associated with viewing the pay-per-view program at each additional one of the

plurality of user television equipment devices; and at least one of the at least one of interactive television guides with which settings are adjusted is configured to provide information about the first const and each additional cost.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Boyer et al (WO 98/26584) – Discloses an Internet television program guide system.

Carhart (USPN 6,622,304) – Discloses an interface system for computing apparatus and communications stations, and discloses various network topologies, including tree and ring topology.

Casement et al (USPN 6,144,401) – Discloses a television schedule system with access control.

Casement et al (USPN 5,969,748) – Discloses a television schedule system with access control.

Decker et al (USPN 6,009,465) – Discloses entertainment and information systems and related management networks for a remote video delivery system.

Eames et al (USPN 6,317,884) – Discloses a video, data and telephony gateway.

Ehreth (USPN 6,286,142) – Discloses a method and system for communicating video signals to a plurality of television sets.

Gopinath (USPN 5,990,885) – Discloses personalized services, including a personal presence, for customers based upon collected personal preferences.

Art Unit: 2614

Herz et al (USPN 5,754,938) – Discloses a pseudonymous server for system for customized electronic identification of desirable objects.

Humpleman (USPN 6,188,397) – Discloses a set-top box and network interface unit arrangement.

Hwang (USPN 6,049,823) – Discloses a multi server, interactive, video-on-demand television system utilizing a direct-access-on-demand workgroup.

Johnson et al (USPN 5,001,554) – Discloses a terminal authorization method.

Kuban et al (USPN 4,994,908) – Discloses an interactive room status/time information system having a terminal associated with a television.

Seidman et al (USPN 6,298,482) – Discloses a system for two-way digital multimedia broadcast and interactive services.

Stas et al (USPN 6,025,869) – Discloses a video viewing supervision system.

Williams, Jr. (USPN 6,202,211) – Discloses a method and apparatus for providing television signals to multiple viewing systems on a network, the system may be used in a home local area network, has server-client functionality, and has a bus topology.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael W. Hoyer whose telephone number is (703) 305-6954.

The examiner can normally be reached on Monday to Friday from 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at (703) 305-4795.

Art Unit: 2614

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Michael W. Hoye
September 1, 2004


JOHN MILLER
SUPERVISORY PATENT EXAMINER
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